**THE IMPLICATIONS OF THE 2023 STATE OF THE NATION ADDRESS ON HOME AFFAIRS**

The 2023 State of Nation address has three broad areas with implications for the Department of Home Affairs, the Electoral Commission and Government Printing Works. These are:

* Growing the economy, addressing unemployment and poverty by reducing red tape to scarce skills, tourism and business investment.
* Addressing Crime and corruption.
* The Impact of Load shedding and Infrastructure.

The first 2 issues are continuations of themes in SONA for several years and the last issue is new but overlaps with issues relating to infrastructure improvement from previous years.

1. **Growing the Economy, Addressing Unemployment and Poverty by Reducing Red Tape to Scarce Skills, Tourism and Business Investment**

Again this year, the specific mention of the DHA is in relation to Immigration Permitting. The President mentions that one of the key ingredients for economic growth and competitiveness is the ability to attract skills which the economy needs. He mentions the completion of comprehensive review of the work visa system, and moving quickly to implement the related recommendations.

These include establishing a more flexible points-based system to attract skilled immigration, implementing a trusted employer scheme to make the visa process easier for large investors and streamlining application requirements. Consideration is also needed for the recruiting and visas for scarce skills in the electrical engineering, project management and renewable energy sectors. **The Committee has already planned oversight of this Permitting Review during its forthcoming trip to Pretoria in March 2023.**

The President again mentioned red tape reduction and the team in the Presidency that has been working with various departments to make it easier to do business. He mentions the collaborative approach, working with departments and agencies in areas such as tourism transport and visas and work permits. An example will be introducing remote worker visas to encourage this new kind of tourism to the country and a special dispensation for high-growth start-ups to recruit high skilled and competitive skilled persons**. A critical facilitator of this process will be the improving the e-visa platform beyond the initial 14 countries as well as better coordination between the Immigration Branch, the Visa Facilitation Service (VFS) and Border Management Agency.**

The Presidential Employment Stimulus has provided work and livelihood opportunities to more than one million people. All departments including the DHA must **remove the requirement for work experience for young people seeking entry-level positions.**

The DHA has also played a role in several job creation initiatives through the appointment of the first cohort of 10,000 unemployed young people to digitise more than 340 million paper-based civic records, which in turn will improve efficiency and reduce corruption in the DHA. **The implementation of these jobs and this project must be monitored as a potential for addressing the longer term shortage of staff and backlogs in the DHA and Government departments in general.**

DHA also has a role to play in terms stability and prosperity, and development in our continent.
As the focus of the African Continental Free Trade Area will be on collaboration on sustainable development, the just energy transition and industrialisation; **DHA will need to participate in the promotion of bilateral and multi-lateral visa agreements needed to facilitate free movement of persons related to trade are expanded**.

Once fully operationalised, the Continental Free Trade will provide an unprecedented opportunity to deepen African economic integration, grow national economies, and open up new frontiers and markets for South African companies. **This in turn can provide further opportunities for the GPW to expand its market for security printing.**

**2. Addressing Crime and corruption**

The recommendations of the State Capture Commission are being implemented according to the plan submitted to Parliament in October 2022 so that the systemic weaknesses identified by the Commission are addressed. The Following are reactions to the Presidents Response to the report recommendations relating to the DHA and IEC:

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| **No**  | **Recommendation**  | **Status Update** | **Timeline** |
| 5.10.2 | It is recommended that Parliament should consider whether introducing a constituency-based (but still proportionally representative) electoral system would enhance the capacity of Members of Parliament to hold the executive accountable. If Parliament considers that introducing a constituency-based system has this advantage, it is recommended that it should consider whether, when weighed against any possible disadvantages, this advantage justifies amending the existing electoral system. | Parliament is currently processing the Electoral Laws Amendment Bill (B1-2022). The Bill is has just been completed by the PCHA and is headed to the National Assembly and residency for adoption by the 28 February extended deadline of the Constitutional Court. Included in the revisions on the bill (B1D) is so-called sunset clause calling for the establishment of an Electoral Reform Consultation Panel, which is mandated precisely to consider the constituency and other models to improve accountability of Members of Parliament. In addition the inclusion of independent candidates improves access of voters to candidates directly accountable to them rather than to Political Party Structures.Parliament will now embark on an exercise with the Department of Home Affairs and Electoral Commission to consider the consequential amendments to other legislation implicated in the changes to the Electoral Act. Including its impact on applicable policy provisions, financial implications and the attendant changes. Consideration is being given to whether this will best be done though a Committee of Executive general laws amendment bill. The former being more expedient. | Act to be passed by 28 February 2023.Panel Constituted four months after the passing of the act and reporting 1 year after the 2024 National Elections. Thereafter the requisite changes must be effected prior to the 2029 National Elections.General Laws Amendment Bill on amendments consequential to the changes in the electoral act to take between 12 to 18 months from February 2023. |
| 5.15.1 | It is recommended that Parliament should consider whether it would be desirable to enact legislation which protects Members of Parliament from losing their party membership (and therefore their seats in Parliament) merely for exercising their oversight duties reasonably and in good faith.  | The Commission found that in several instances Parliament had not been effective in holding the Executive to account.This also relates to the recommendation for electoral reform. The constitutional oath of office for all Members of Parliament should serve as the primary guideline for their functions.The recommendation will be referred to the abovementioned Electoral Reform Consultation Panel for consideration in its Electoral System Review. | Panel Constituted four months after the passing of the act and reporting 1 year after the 2024 National Elections. Thereafter the requisite changes must be effected prior to the 2029 National Elections. |
| 5.15.34 | Amend the Political Party Funding Act to criminalise donations to political parties in the expectation of access to procurement tenders or contracts. | Amendments must be made alongside other consequential amendments that will be required following the approval of the Electoral Amendment Bill currently before Parliament. | General Laws Amendment Bill on amendments consequential to the changes in the electoral act to take between 12 to 18 months from February 2023 |

The National Anti-Corruption Advisory Council, consisting of people from across society, is in place to advise on suitable mechanisms to stem corruption, including an overhaul the institutional architecture for combatting corruption. Reinvigorated law enforcement agencies are taking firm action against companies and individuals alleged to have been involved in state capture and specialised police teams that are working on tackling crimes like kidnapping, extortion and illegal mining have had several breakthroughs, arresting dozens of suspects and achieving several convictions. **The DHA will be monitored in terms of how it is advised by the Anti-Corruption Advisory Council and the Relevant Prosecution bodies and how it interacts with other Departments in the Addressing Illegal Mining.**

In response to the State Capture Commission and in line with the framework for the professionalization of the public service, **new recruits to the DHA, IEC and GPW will have to undergo integrity assessments** which will become a mandatory requirement for recruitment to the public service along with entry exams.

The Presidency and National Treasury will work together to rationalise government departments, entities and programmes over the next three years. National Treasury estimates that we could achieve a potential saving of R27 billion in the medium term if we deal with overlapping mandates, close ineffective programmes and consolidate entities where appropriate. It is unlikely, given the recent addition of the BMA separating border functions from the DHA but **consideration could be given to whether combining the Police Service and the DHA into one Department, as is the case in several other countries, could improve efficiency in identifying criminals, in particular those in contradiction to the Immigration Act.**

**3. The Impact of Load shedding and Infrastructure.**

With the implementation of a State of Disaster relating to the Electricity Load Shedding, Section 27(2), read with section 27(3) of the Disaster Management Act is required to make regulations for the purpose of —

(a) assisting and protecting the public;

(b) providing relief to the public;

(c) protecting property;

(d) preventing or combatting disruption; or

(e) dealing with the destructive nature and other effects of the disaster.

In terms of the forthcoming regulations, it must be assessed whether the DHA and GPW can at least be partially exempted from load shedding because of the critical services they offer. The power outages have had a negative impact on service delivery at Home Affairs offices already challenged by network connectivity and outages. In this regard **backup power solutions by offices not assisted by Uninterrupted Power Supply solutions will need to be budget for** and may benefit from expedited procurement processes and budget under the disaster regulations.

Such backup power solutions will, however, need to be done with **awareness of the climate change impact and consideration of more renewable power solutions such as solar, wind and battery technologies**. The Presidential Climate Commission and Just Energy Transition Investment Plan must be monitored for funding, rebates and infrastructure upgrades for Home Affairs, IEC and GPW offices.

The President indicated that one of **the greatest obstacles to infrastructure investment is the lack of technical skills and project management capacity. In this regard the requisite international scarce skills and business visa applications will need to be prioritised and expedited.**

The continued **expansion of infrastructure for ports** and railways to rival the best in the world and broadband access for more parts of the country should also be pushed by the DHA as a means **of improving the presence of the** **Border Management Authority at ports and network connectivity in rural DHA offices**.

Lastly mention was made of the aftermath of COVID pandemic, outbreaks of public violence in 2021 and flooding in Eastern Cape, KwaZulu-Natal and North West. **An update will be required on the impact of these disasters on the delivery of services by Home Affairs offices and special provisions for providing replacement documents lost to the flooding.**